UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
STEVEN COOPER,	X

Plaintiff,

NOTICE OF MOTION TO DISMISS PURSUANT TO RULE 12(b)(6)

-against-

THE CITY OF NEW YORK, POLICE LIEUTENANT THOMAS JACOBS, POLICE OFFICER JESSICA SCHRELL, POLICE SERGEANT BRENDAN RYAN, P.O. JOHN DOES 1-10 the identity of whom is presently unknown, in their individual and official capacities, as New York City Police Officers, DANIEL O'CONNOR ______X

1:17-cv-01517-NGG-RLM

PLEASE TAKE NOTICE, that upon the accompanying memorandum of law, and upon all prior pleadings and proceedings had herein, Defendant, Thomas Jacobs, will move this Court at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza E., Brooklyn, NY 11201, on the 1st day of December, 2017, or as soon as counsel may be heard, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure partially dismissing the Complaint against Defendant Jacobs, and for such other, further and different relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that by Court Order, Plaintiffs shall serve their opposition papers by November 17, 2017, and Reply papers, if any, shall be served by December 1, 2017.

Dated: New York, New York October 12, 2017

1

Yours, etc.

KARASYK & MOSCHELLA LLP

JAMES M. MOSCHELLA

Altorneys for Defendant Thomas Jacobs

233 Broadway, Suite 2340

New York, NY 10279

(212) 233-3800

To: (Via ECF)

Hon. Nicholas G. Garaufis United States District Judge Eastern District of New York 225 Cadman Plaza E. Brooklyn, NY 11201

Yitzchok Kotkes Attorney for the Plaintiff Barry R. Ferst & Associates 194 South 8th Street Brooklyn, NY 11211 (718) 298-4398

Christopher Dominick DeLuca
Attorney for Defendant City of New York,
P.O. Schrell, & P.O. Ryan
New York City Law Department
100 Church Street
New York, NY 10007
(212) 356-3535

Michael A. Delakas Attorney for Defendant O'Connor 245 Fifth Avenue, Suite 1902 New York, NY 10016 (212) 321-0349